

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RICHARD P. FRIEDMAN,)	
Plaintiff,)	Civil Action No. 09-711
)	
v.)	U.S. District Judge Arthur J. Schwab
)	U.S. Magistrate Judge Lenihan
BETHEL PARK POLICE DEPARTMENT,)	
POLICE OFFICER ROBERT GARY,)	
POLICE OFFICER KEITH JONES,)	
BETHEL PARK POLICE DEPT. SHIFT)	
COMMANDER, Individually and in their)	
Official Capacity,)	
Defendants.)	

MEMORANDUM ORDER

Plaintiff instituted this action by his *pro se* Complaint of June 3, 2009. Plaintiff's Complaint was received by the Clerk of Court and was subsequently referred to United States Magistrate Judge Lisa Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

The April, 2010 Report and Recommendation observed that the matter involves constitutional claims resulting from injuries sustained by Plaintiff, Richard Friedman during his arrest and detention by the Bethel Park Police Department and certain identified employees (collectively "Defendants"). It recommended that the Defendants' Motion for Summary Judgment (Docket No. 26) be granted in its entirety as follows: (a) for failure to state a claim as a matter of law as to Plaintiff's claims for violation of his Eighth and Fourteenth Amendment

rights, and his claims for punitive damages against Defendant BPPD or an individual Defendant in his official capacity, and (b) for absence of evidence sufficient to raise a material question of fact as to Plaintiff's claims for violation of his Fourth Amendment rights, municipal liability on the part of Defendant BPPD, the individual Defendants' entitlement to qualified immunity and their individual-capacity liability for punitive damages.

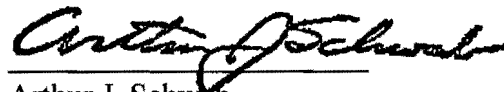
The time for the filing of Objections has passed, and none have been filed. After review of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered:

AND NOW, therefore, this 27th day of April, 2010:

IT IS HEREBY ORDERED that the aforesaid Defendants' Motion for Summary Judgment is **GRANTED**.

IT IS FURTHER ORDERED that the Report and Recommendation of Magistrate Judge Lenihan is adopted as the Opinion of the Court.

AND IT IS FURTHER ORDERED that the Clerk be directed to close this case.



Arthur J. Schwab
United States District Judge

cc: **RICHARD P. FRIEDMAN**
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